

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

EAST TENNESSEE NATURAL GAS CO.,)

Plaintiff,)

v.)

3.62 ACRES IN PATRICK COUNTY,
VIRGINIA, ET AL.)

Defendants.)

Case No. 4:02-CV-00150

ORDER

By: Jackson L. Kiser
United States District Court

Before me is a *Motion in Limine* filed by the Plaintiff East Tennessee Natural Gas Company.

Plaintiff's Motion for an Order in Limine Excluding the "Updated" Appraisal and Testimony of Dennis Gruelle [84] is hereby **Granted**. Dennis Gruelle's "updated appraisal and testimony" shall be excluded as evidence from this trial for the reasons stated on the record. However, if the cross examination of Dennis Gruelle by the Plaintiff's counsel invites such "updated appraisal and testimony," it shall be admissible as evidence in this trial.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this 25th day of October, 2005.

s/Jackson L. Kiser
Senior United States District Judge